

FILED

OCT 21 2020

Clerk, U S District Court
District Of Montana
Billings

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MEREDITH McCONNELL,
BARBARA MARY DAYCHIEF and
SHERYL LYNN LAWRENCE,

Defendants.

CR 19-90-BLG-SPW

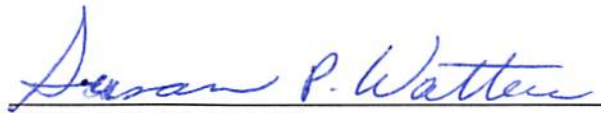
ORDER

This matter comes before the Court on Defendant Barbara Mary Daychief's Joinder (Doc. 101) in Defendant Meredith McConnell's Motion to Dismiss. (Doc. 96). Both documents were filed August 10, 2020. The United States responded to the Motion to Dismiss on August 24, 2020, addressing the arguments raised in the opening brief. (Doc. 109). On August 31, 2020, Daychief filed a Reply Brief in Support of Joinder Re: McConnell's Motions to Dismiss, Strike and Sever. In that reply, Daychief raised, for the first time, an argument that Count VIII (Misprision of a Felony) must be dismissed for violation of Defendant's Fifth Amendment right against self-incrimination. (Doc. 118 at 4). Because this argument was raised

in a reply brief, the United States was not afforded an opportunity to respond to the argument.

IT IS HEREBY ORDERED that, to ensure fairness and for good cause showing, the United States is ordered to file a response to Daychief's argument to dismiss the Misprision Offense contained in her Joinder Reply (Doc. 118 at 4) by Wednesday, November 4, 2020.

DATED this 21st day of October, 2020.


SUSAN P. WATTERS
UNITED STATES DISTRICT JUDGE